

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01219-TJK**

CENTER FOR BIOLOGICAL DIVERSITY, INC. v. U.S.
ENVIRONMENTAL PROTECTION AGENCY

Assigned to: Judge Timothy J. Kelly

Case: 1:17-cv-00816-TJK

Cause: 05:552 Freedom of Information Act

Date Filed: 05/24/2018

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR BIOLOGICAL
DIVERSITY, INC.**

represented by **Margaret E. Townsend**
CENTER FOR BIOLOGICAL
DIVERSITY
P.O. Box 11374
Portland, OR 97211
(971) 717-6409
Fax: (503) 283-5528
Email: mtownsend@biologicaldiversity.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

represented by **Marina Utgoff Braswell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2561
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Email: Marina.Braswell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/24/2018	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 400 receipt number 0090-5500512) filed by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Attachments: # <u>1</u> Civil Cover Sheet)(Townsend, Margaret) Modified on 5/25/2018 (zrdj). (Entered: 05/24/2018)
05/24/2018	<u>2</u>	Corporate Disclosure Statement by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 05/24/2018)
05/24/2018	<u>3</u>	NOTICE OF RELATED CASE by CENTER FOR BIOLOGICAL DIVERSITY, INC.. Case related to Case No. 17-cv-816. (Townsend, Margaret) (Entered: 05/24/2018)
05/24/2018	<u>4</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint filed by CENTER FOR BIOLOGICAL DIVERSITY, INC.. Related document: <u>1</u> Complaint filed by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Attachments: # <u>1</u> Summons Environmental Protection Agency, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons Attorney General)(Townsend, Margaret) (Entered: 05/24/2018)
05/24/2018		Case Assigned to Judge Timothy J. Kelly. (zmd) (Entered: 05/25/2018)
05/29/2018	<u>5</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 05/29/2018)

06/26/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/8/2018. Answer due for ALL FEDERAL DEFENDANTS by 7/8/2018. (Townsend, Margaret) (Entered: 06/26/2018)
06/26/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/11/2018. (Townsend, Margaret) (Entered: 06/26/2018)
06/26/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 6/8/2018 (Townsend, Margaret) (Entered: 06/26/2018)
06/29/2018	<u>9</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 06/29/2018)
07/05/2018	<u>10</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 07/05/2018)
07/05/2018		MINUTE ORDER granting Defendant's <u>10</u> Unopposed Motion for Extension of Time. It is hereby ORDERED, for good cause shown, that Defendant's motion is GRANTED. Defendant shall answer or otherwise respond to Plaintiff's complaint by July 30, 2018. Signed by Judge Timothy J. Kelly on 7/5/2018. (lctjk2) (Entered: 07/05/2018)
07/25/2018	<u>11</u>	Joint MOTION to Stay <i>Further Proceedings</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 07/25/2018)
07/26/2018		MINUTE ORDER granting the parties' <u>11</u> Joint Motion to Stay Further Proceedings in Both Cases. It is hereby ORDERED that (1) this case is STAYED until further order of the Court, and (2) the parties shall file a joint status report on the status of settlement negotiations by August 15, 2018. Signed by Judge Timothy J. Kelly on 7/26/2018. (lctjk1) (Entered: 07/26/2018)
08/15/2018	<u>12</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Braswell, Marina) (Entered: 08/15/2018)
08/16/2018		MINUTE ORDER: In light of the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by September 17, 2018. Signed by Judge Timothy J. Kelly on 8/16/2018. (lctjk1) (Entered: 08/16/2018)
09/17/2018	<u>13</u>	Joint MOTION for Extension of Time to <i>file Joint Status Report</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Townsend, Margaret) (Entered: 09/17/2018)
09/19/2018	<u>14</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Braswell, Marina) (Entered: 09/19/2018)
09/20/2018		MINUTE ORDER granting the parties' <u>13</u> Joint Motion for Extension of Time. It is hereby ORDERED, for good cause shown and nunc pro tunc to September 17, 2018, that the parties' motion is GRANTED. Under consideration of the Joint Status Report <u>14</u> filed by the parties on September 19, 2018, it is hereby ORDERED that the parties shall file another joint status report by October 19, 2018. Signed by Judge Timothy J. Kelly on 9/20/2018. (lctjk1) (Entered: 09/20/2018)
10/19/2018	<u>15</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 10/19/2018)
10/23/2018		MINUTE ORDER: In light of the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by November 19, 2018. Signed by Judge Timothy J. Kelly on 10/23/2018. (lctjk2) (Entered: 10/23/2018)
10/23/2018		Set/Reset Deadlines: Joint Status Report due by 11/19/2018. (kh) (Entered: 10/23/2018)
11/19/2018	<u>16</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 11/19/2018)

11/20/2018		MINUTE ORDER: In light of the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by January 4, 2019. Signed by Judge Timothy J. Kelly on 11/20/2018. (lctjk2) (Entered: 11/20/2018)
01/29/2019		MINUTE ORDER: Per the Court's Minute Order of November 20, 2018, the parties were instructed to file a joint status report by January 4, 2019. The parties did not do so. Accordingly, it is hereby ORDERED that the parties shall file a joint status report, including an explanation as to why the parties could not comply with the Court's order nor seek an extension, no later than February 19, 2019. Signed by Judge Timothy J. Kelly on 1/29/2019. (lctjk2) (Entered: 01/29/2019)
02/15/2019	<u>17</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 02/15/2019)
02/15/2019		MINUTE ORDER: In light of the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report by April 5, 2019. Signed by Judge Timothy J. Kelly on 2/15/2019. (lctjk1) (Entered: 02/15/2019)
04/05/2019	<u>18</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 04/05/2019)
04/08/2019		MINUTE ORDER: In light of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by May 3, 2019. Signed by Judge Timothy J. Kelly on 4/8/2019. (lctjk2) (Entered: 04/08/2019)
05/01/2019	<u>19</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 05/01/2019)
05/02/2019		MINUTE ORDER: In light of the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by June 17, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 5/2/2019. (lctjk2) (Entered: 05/02/2019)
06/14/2019	<u>20</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 06/14/2019)
06/17/2019		MINUTE ORDER: In light of the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by July 23, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 6/17/2019. (lctjk2) (Entered: 06/17/2019)
07/23/2019	<u>21</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 07/23/2019)
07/24/2019		MINUTE ORDER: In light of the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by August 23, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 7/24/2019. (lctjk2) (Entered: 07/24/2019)
08/23/2019	<u>22</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 08/23/2019)
08/26/2019		MINUTE ORDER: Upon consideration of the parties' <u>22</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by October 8, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 8/26/2019. (lctjk2) (Entered: 08/26/2019)
10/08/2019	<u>23</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Braswell, Marina) (Entered: 10/08/2019)
10/10/2019		MINUTE ORDER: Upon consideration of the parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by November 13, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 10/10/19. (lctjk2) (Entered: 10/10/2019)
11/13/2019	<u>24</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 11/13/2019)

11/13/2019		MINUTE ORDER: In light of the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report by November 26, 2019, unless a stipulation of dismissal pursuant to FRCP 41(a)(1)(A)(ii) is filed before that time. Signed by Judge Timothy J. Kelly on 11/13/2019. (lctjk2) (Entered: 11/13/2019)
11/25/2019	<u>25</u>	STIPULATION of Dismissal <i>and Settlement</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 11/25/2019)